

Appl. No. 10/813,410  
Amdt. Dated June 27, 2007  
Reply to Office Action Mailed Mar. 27, 2007

### REMARKS

The above Amendments and these Remarks are in response to the Office action mailed Mar. 27, 2007. Applicant appreciates Examiner's thorough search and consideration of the application.

Claims 1-12 were pending in the present application before the Amendments as set forth above. Claims 1 and 8 have been amended, and claims 2 and 12 have been canceled without prejudice.

Support for the amendments set forth above can be found in the specification, claims, and/or drawings as originally filed. Applicant asserts that no new matter is added. However, the claims are not limited to the disclosed embodiments. Reconsideration and withdrawal of the rejections are respectfully requested.

### *Claim Rejections - 35 U.S.C. 101*

By the Office action, claims 1, 3-7, and 12 were rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In response to this rejection, applicant has amended claim 1 by adding the subject matter of claim 2 thereinto. Claim 1 now includes further materials of hardware or a combination of hardware and software. In particular, amended claim 1 includes inputting requirements of an outsourcing project in a plurality of the client computers; and various software modules (i.e. a basic data maintenance module, a bidder selection module, a price negotiation management module, and a bid comparison module) in a piece of hardware (i.e. an application server). Furthermore, the plurality of client computers and the various software modules in a

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piece of hardware (i.e. the application server) are necessary prerequisites for obtaining the practical result (i.e. determining a contractor for each of the outsourcing projects, and generating a bid result). Therefore, it is submitted that the technology embodied in amended claim 1 produces at least one "useful, concrete, and tangible" result.

For at least the above reasons, it is submitted that amended claim 1 is directed to statutory subject matter. Applicant requests reconsideration and removal of the rejection and allowance of the claim.

Claims 3-7 depend directly from amended independent claim 1 and recite additional features respectively. Therefore claims 3-7 are also directed to statutory subject matter. Applicant requests reconsideration and removal of the rejections and allowance of claims 3-7.

Claim 12 has been canceled without prejudice, therefore the rejection relating thereto is now moot.

### ***Claim Rejections - 35 U.S.C. 103***

By the Office action, claims 1-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Thackston (US PG-Publication 2002/0035450 A1, hereinafter referred to as Thackston) in view of Hill et al (US PG-publication 2003/0225683 A1, hereinafter referred to as Hill).

In response to these rejections, applicant has amended claim 1 and claim 8 by adding more limitations thereinto, such limitations being sourced from the originally filed specification, claims and/or drawings of the present application. These amendments have been made at least for the purpose of overcoming the rejections. Applicant respectfully requests reconsideration and removal of the rejections and allowance of the claims, as follows:

### **Claims 1-7**

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Claim 1, as amended, recites a project bidding transaction management system connectable with an electronic marketing system and a financial management system, the project bidding transaction management system comprising:

a database server comprising a database for storing data used or generated in implementing the project bidding transaction management system;

a plurality of client computers, each of the client computers providing a user interface for users of an outsourcing organization to input requirements of an outsourcing project and inquire of data stored in the database; and

an application server for managing project bidding transactions, the application server comprising:

a basic data maintenance module provided for receiving requirements of outsourcing projects, and generating specifications for the outsourcing projects according to the requirements;

a bidder selection module provided for selecting a plurality of suitable bidders from a list of companies wishing to bid on an outsourcing project according to the specifications for the outsourcing project, and for downloading basic data on such selected bidders;

a price negotiation management module provided for performing price negotiations with bidders according to quotations offered by the bidders and an acceptable price range set by the financial management system, *receiving at least one new quotation offered by at least one bidder from the*

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*electronic marketing system*, and generating price negotiation records; and

a bid comparison module provided for determining a contractor for each of the outsourcing projects by comparing the quotations and a base price set for the outsourcing project by the financial management system, generating bid results, *and transmitting the bid results to the electronic marketing system.*

Thackston discloses databases 210 connected with a NICECAD server system 200 (FIG. 2), "prime contractor user systems 220 may comprise future variations of such systems that permit the interaction over a network with a server system" (paragraph 0068), "the stored part design model data may include links to associated specifications, standards and other design specific documents" (paragraph 0028), "a prime contractor with a part design model representing a product can conduct a search to identify qualified fabricators based on design-specific and general criteria" (paragraph 0027), "an electronic bidding system is provided to allow virtual discussions and negotiations to take place over the networked system once a pool of qualified fabricators is identified" (paragraph 0028), and "databases 210 may store information for a concurrent engineering development project" (paragraph 0073).

However, Thackston fails to disclose or suggest the present price negotiation management module *provided for receiving at least one new quotation offered by at least one bidder from the electronic marketing system* (see paragraph [0020] of the specification). In addition, Thackston fails to disclose or suggest the present bid comparison module *provided for transmitting the bid results to the electronic marketing system* (see paragraph [0020] of the present specification).

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Hill does disclose comparing the quotations with a base price set for the outsourcing project by the financial management system. However, Hill also fails to disclose or suggest the present price negotiation management module *provided for receiving at least one new quotation offered by at least one bidder from the electronic marketing system*, and also fails to disclose or suggest the present bid comparison module *provided for transmitting the bid results to the electronic marketing system*.

Accordingly, applicant respectfully submits that neither Thackston nor Hill provides any teaching, suggestion, or motivation that it could be combined with the other to yield the inventive system as currently set forth in amended claim 1. That is, amended claim 1 is unobvious and patentable over these references under s.103. Applicant requests reconsideration and removal of the rejection and allowance of the claim.

Claims 2-7 depend directly from claim 1 and incorporate additional features respectively. Accordingly, it is submitted that claims 2-7 are also unobvious and patentable over the cited references for at least the foregoing reasons, and are thus in a condition for allowance.

#### Claims 8-12

Claim 8 is a method claim that recites limitations similar and corresponding to those of claim 1. For reasons similar to those detailed above in relation to claim 1, applicant asserts that Thackston and Hill, whether taken alone or in combination, do not disclose, teach or otherwise suggest the limitations recited in amended claim 8. Such limitations include *receiving at least one new quotation offered by at least one of the bidders if it is necessary to negotiate any price with any of the bidders, generating a bid result, and issuing the bid result and declaring an end to the project bidding transactions*.

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Therefore amended claim 8 is unobvious and patentable over Thackston in view of Hill. Applicant requests reconsideration and removal of the rejection and allowance of the claim.

Claim 9-11 depend directly from claim 8 and incorporate additional features respectively. Accordingly, claims 9-11 are also unobvious and patentable over the cited references. Applicant requests reconsideration and removal of the rejection and allowance of claims 9-11.

Since applicant has canceled claim 12 without prejudice, the rejection relating thereto is now moot.

In view of the above claim amendments and remarks, the subject application is believed to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,  
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